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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/789,084

02/27/2004

Robert W. Turner

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EXAMINER

ABDI, AMARA

ART UNIT

PAPER NUMBER

2624

MAIL DATE

DELIVERY MODE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/789,084

Applicant(s)

TURNER ET AL.

Examiner

Amara Abdi

Art Unit

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 August 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 and 24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 and 24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date See Continuation Sheet.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :01/25/2006
02/19/2007
04/19/2007.

DETAILED ACTION

1. Applicant's election without traverse of invention I (claims 1-12, and 24) in the reply filed on 08/07/2007 is acknowledged.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1,5,7, and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Snyder (US 6,643,641) in view of Jebens et al. (US 6,332,146).

(1) Regarding claims 1 and 7:

Snyder disclose a method and apparatus (column 1, line 7), (the apparatus is read as the same concept as the system) comprising:

storing at least one of an image data or image information products in a database (column 8, line 46-50);

providing a search engine for searching the stored image data products (column 8, line 13-20; and column 8, line 35-40);

if a desired image data or image information product of a requestor (the requestor is read as a user) exists in the database, automatically generating a data product based on the desired image data product (the data product is read as the reference files and links) and a predefined attributes (the predefined

attributes are read as the URL address) of the image specified by a requestor (column 13, line 52-55);

if a desired image data or image information product of a requestor (the requestor is read as a user) does not exist in the database, automatically analyzing the desired image data or image information product (column 11, line 20-21), (the analyzing of the desired image data is read as the same concept as the analyzing of the representative data) and developing an image data or image information product (column 8, line 40-41), (the developing of parameter information is read as the same concept as the developing of image data) based on the analysis and a predefined attributes (the predefined attributes are read as the URL address) of the image specified by a requester (column 13, line 56-61); and

automatically sending the generated or developed image data or image information product to the requester (column 7, line 23-30; and column 13, line 39-46).

Snyder does not explicitly mention the automatically billing of the requestor based on the generated or developed image information product.

Jebens et al., in analogous environment, teaches a method and apparatus for storing and printing digital images, where automatically billing the user (column 17, line 55-57; and line 65-67), (the sending of invoices to the users is read as the billing of users).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to use the method of Jebens et al., where billing the requestor, in

the method of Snyder in order to provide storage of data as digital image and for routing and delivering orders incorporating a selected subsets of the stored data to a publishing facility or the like (column 1, line 10-13).

(2) Regarding claims 5 and 11:

Snyder further disclose the method and apparatus (column 1, line 7), (the apparatus is read as the same concept as the system), where sending includes at least one of electronically sending the image data or image information product to the requestor over a network, printing a hard copy and transporting the hard copy to the requestor, and storing on a portable memory device and transporting the portable memory device to the requestor (column 8, line 6-10), (the use of the internet is read as the electronically sending of the image data to the requestor over the network).

4. Claims 2-3 and 8-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Snyder and Jebens et al., as applied to claims 1 and 7 above, and further in view of Ogawa et al. (US 5,864,632).

(1) Regarding claims 2 and 8:

Snyder and Jebens et al. disclose all the subject matter as described in claims 1 and 7 above.

Furthermore, Snyder disclose the generating of the desired image data (column 22, line 25-26), (the generating of "snapshot" is read as the same concept as the generating of the desired image data) based on an imaging algorithm associated with the desired

image data information (column 28, line 58-60) and stored in an algorithm database (column 8, line 46-50).

Snyder and Jebens et al. do not explicitly mention the instructing of plurality of remote sensing data sources to generate images, and the receiving of the generated images at the data management facility.

Ogawa et al., in analogous environment, teaches a map editing device for assisting updating of a three dimensional digital map, where instructing a plurality of remote sensing data sources to generate images (column 12, line 38-50), and receiving of the generated images at the data management facility (column 6, line 15-22).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to use the system of Ogawa et al., where using a remote sensing data to generate images, in the system of Snyder in order to provide a map editing device which can easily supplement insufficient information and can easily remeasure an object that has changed (column 1, line 65-67).

(2) Regarding claims 3 and 9:

Snyder and Jebens et al. disclose all the subject matter as described in claims 2 and 8 above.

Furthermore, Snyder disclose the generating of an imaging based on analysis (column 12, line 8-10), (the generating of database is read as the same concept as the generating of an imaging). Also Snyder disclose the generating of the desired image data (column 22, line 25-26; and column 10, line 19-20), (the generating of "snapshot" is read as the same concept as the generating of the desired image data) based on the

generated algorithm (column 28, line 58-60) and the received images (column 10, line 18-19), (the receiving of web pages is read as the same concept as the receiving of images).

Snyder and Jebens et al. do not explicitly mention the instructing of plurality of remote sensing data sources to generate images, and the receiving of the generated images at the data management facility.

Ogawa et al., in analogous environment, teaches a map editing device for assisting updating of a three dimensional digital map, where instructing a plurality of remote sensing data sources to generate images (column 12, line 38-50), and receiving of the generated images at the data management facility (column 6, line 15-22).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to use the system of Ogawa et al., where using a remote sensing data to generate images, in the system of Snyder in order to provide a map editing device which can easily supplement insufficient information and can easily remeasure an object that has changed (column 1, line 65-67).

5. Claims 4 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Snyder and Jebens et al. and Ogawa et al., as applied to claims 3 and 9 above, and further in view of Henley (US-PGPUB 2003/0195838).

Snyder and Jebens et al. and Ogawa et al. disclose all the subject matter as described in claims 3 and 9 above.

Snyder and Jebens et al. and Ogawa et al. do not explicitly mention the method, where automatically reimbursing an owner of the algorithm that was used based on a reimbursement contract.

Henley, in analogous environment, teaches a method and system for provision and acquisition of products, where reimbursing a patient based on complex codes developed to help insurance companies code medical procedures (paragraph [0131], line 1-5), (the reimbursing of a patient by the insurance companies is read as the same concept as the reimbursing the owner of the algorithm based on reimbursement contract).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to use the system of Henley, where reimbursing a patients based on insurance complex codes medical procedures, in the system of Snyder in order to reduce transactional costs associated with professional services and facilitating the selection process for obtaining professional services and products (paragraph [0002], line 5-8).

6. Claims 6 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Snyder and Jebens et al., as applied to claims 1 and 7 above, and further in view of Bell et al. (US 5,422,989).

Snyder and Jebens et al. disclose all the subject matter as described in claims 1 and 7 above.

Snyder and Jebens et al. do not explicitly mention the method, where the plurality of remote sensing data sources includes one or more of a LandSat5 system, LandSat7 system, a MODIS system, aircraft system, ground based system, or a SPOT system.

Bell et al., in analogous environment, teaches a users interface mechanism for interactively manipulating displayed registered images obtained from multiple sensors having diverse image collection geometries, where SPOT satellite is used (column 6, line 31-40).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to use the system of Bell et al., where using a SPOT satellite, in the system of Snyder in order to allow the operator to perform a true image information content examination associated with the exploitation process (column 3, line 49-51).

7. Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Snyder (US 6,643,641) in view of Jebens et al. (6,332,146) and Ginter et al. (US-PGPUB 2004/0123129).

Snyder disclose a method (column 1, line 7) comprising:

storing at least one of an image data or image information products in a database (column 8, line 46-50);

providing a search engine for searching the stored image data products (column 8, line 13-20; and column 8, line 35-40);

if a desired image data or image information product of a requestor (the requestor is read as a user) exists in the database, automatically generating a

data product based on the desired image data product (the data product is read as the reference files and links) and a predefined attributes (the predefined attributes are read as the URL address) of the image specified by a requestor (column 13, line 52-55);

if a desired image data or image information product of a requestor (the requestor is read as a user) does not exist in the database, automatically analyzing the desired image data or image information product (column 11, line 20-21), (the analyzing of the desired image data is read as the same concept as the analyzing of the representative data) and developing an image data or image information product (column 8, line 40-41), (the developing of parameter information is read as the same concept as the developing of image data) based on the analysis and a predefined attributes (the predefined attributes are read as the URL address) of the image specified by a requester (column 13, line 56-61); automatically sending the generated or developed image data or image information product to the requester (column 7, line 23-30; and column 13, line 39-46).

Snyder does not explicitly mention:

- 1) automatically billing of the requestor based on the generated or developed image information product; and
- 2) receiving payment information from a requestor.

(A) Concerning the item 1):

Jebens et al., in analogous environment, teaches a method and apparatus for storing and printing digital images, where automatically billing the user (column 17, line

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55-57; and line 65-67), (the sending of invoices to the users is read as the billing of users).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to use the method of Jebens et al., where billing the requestor, in the method of Snyder in order to provide storage of data as digital image and for routing and delivering orders incorporating a selected subsets of the stored data to a publishing facility or the like (column 1, line 10-13).

(B) Concerning the item 2):

Ginter et al., in analogous environment, teaches a methods and techniques for secure electronic commerce transaction, where the financial clearinghouse may receive payment information and customer information (paragraph [0632], line 1-2).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to use the system of Ginter et al., where receiving a payment information, in Snyder in order have a good electronic trading model, with a trusted foundation that enables efficient, distributed administration, automation, and control of transaction value chains and other administrative services (paragraph [0188], line 1-4; and paragraph [0189], line 1).

Contact Information:

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Amara Abdi whose telephone number is (571) 270-1670. The examiner can normally be reached on Monday through Friday 7:30 Am to 5:00 PM E.T..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wu Jingge can be reached on (571) 272-7429. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Amara Abdi
09/04/2007.


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SUPERVISORY PATENT EXAMINER